IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION NO : 15434 of 2004

Between:

Uppada Ganeshwar Rao, S/o Krishna Murthy Reddy,
R/o Kamaliaputtaga Village, Ichapuram Mandal, Srikakulam District.

..... PETITIONER

AND

1 The Board of Intermediate Education, Rep. by its Secretary,

Hyderabad.
2 Principal, Government Junior College (Boys), Ichapuram, Srikakulam

District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly in the nature of Writ of Mandamus declaring the inaction of the part of respondents in not issuing pass certificate to the petitioner though all subjects were cleared in March'02 by the petitioner as unconstitutional and consequently direct the respondents to issue comprehensive marks memo with pass certificate along with compensation of rupees quantified at Rs One lakh from R1.

Counsel for the Petitioner: MR.K.S.MURTHY

Counsel for the Respondent No.1: G.P. for Education

Mr.S.S.Prasad, (Standing counsel for R.1 Board)

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.15434 OF 2004

ORDER:

The petitioner appeared for Intermediate examination as a compartmental candidate in March, 2002. He got through the examination but the original pass certificate was not issued. It was informed that the pass certificate was dispatched to the Principal of Government Junior College (Boys), the second respondent herein and it was misplaced. The petitioner complains that the action of the respondent in not issuing the pass certificate is illegal. He therefore seeks a direction to the respondent to issue comprehensive memo with pass certificate. After receiving notice, the learned Standing Counsel for Board of Intermediate Education has produced the records. By a letter bearing Rc.No.1822/C1-6/2002 dated 16.09.2004, the Controller of Examinations sent original pass certificates of the petitioner and another person as the original pass certificates issued earlier were misplaced. The second respondent was also requested to deliver the pass certificates to the candidates after due identification. Therefore, instead of keeping the writ petition pending, liberty is given to the petitioner to approach the second respondent with a copy of this order. As and when the petitioner approaches, the second respondent shall immediately deliver the above certificate to the petitioner, which was sent by the first respondent vide letter dated 16.09.2004 referred to hereinabove.

The writ petition, with the above observations and directions, is disposed of.

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(V.V.S.RAO,J)

10.11.2004.

pln

Note: Dispatch copy by 16.11.2004.

(By order)

pln

To

1. The Secretary, Board of Intermediate Education, Hyderabad.
2. 2 CCs to the G.P. for Education, High Court Buildings, Hyderabad (OUT).
3. 2 CD copies.